

II. REMARKS

Formal Matters

Claims 1-27 are pending in this application.

Claims 1-27 were examined and were rejected.

Applicants respectfully request reconsideration of the application in view of the remarks made herein.

Rejection under 35 U.S.C. §102(b)

Claims 1-27 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,295,986 ('986).

Applicants respectfully traverse the rejection.

The '986 patent is not available as prior art to the instant application.

The '986 patent is not available as prior art to the instant application under 35 U.S.C. §102(b). A reference is prior art under 35 U.S.C. §102(b) to an application if the reference published more than one year before the U.S. filing date of the application. The earliest U.S. priority date of the instant application is November 16, 1998. The '986 patent issued on October 2, 2001, i.e., the '986 patent did not publish more than one year before November 16, 1998 U.S. priority date of the instant application. As such, the '986 patent is not available as prior art under 35 U.S.C. §102(b) to the instant application.

The '986 patent is not available as prior art under 35 U.S.C. §102(e) to the instant application. In order for an issued U.S. patent to be available as prior art under 35 U.S.C. §102(e) to an application, the patent must have an earlier U.S. filing date than the application. The '986 patent was filed on January 12, 2000, which is not earlier than the November 16, 1998 priority date of the instant application. As such, the '986 patent is not available as prior art under 35 U.S.C. §102(e) to the instant application.

Applicants submit that the rejection of claims 1-27 under 35 U.S.C. §102(b) has been adequately addressed in view of the remarks set forth above. The Examiner is thus respectfully requested to withdraw the rejection.

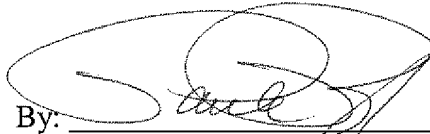
III. CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number AERX-067CON3.

Respectfully submitted,
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